

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TRINA SILAS,

Plaintiff,

-v-

24 Civ. 3710 (PAE)

UNITED PARCEL SERVICE, INC., *et al.*,

Defendants.

ORDER

PAUL A. ENGELMAYER, District Judge:

On June 30, 2023, plaintiff Trina Silas initiated this action in New York Supreme Court.

Dkt. 1 ¶ 1. On May 14, 2024, defendants United Parcel Service, Inc. and Maurico Cortazar (“removing defendants”) removed this action to this Court based on diversity of citizenship.

Dkt. 1. On May 16, 2024, the Court scheduled an initial pretrial conference for June 12, 2024, and required removing defendants to file a letter answering several questions pertinent to the propriety of removal by May 21, 2024. Dkt. 3. Removing defendants have failed to file such a letter. On May 30, 2024, plaintiff moved for a pre-motion conference in lieu of a formal motion to remand this case to New York Supreme Court on the ground that removal was untimely. Dkt. 6.

Per Section 3.A. of the Court’s Individual Rules, a pre-motion conference is not required for a motion to remand. The Court adjourns *sine die* the initial pretrial conference scheduled for May 30, 2024, and sets the following briefing schedule for plaintiff’s motion to remand:

- June 13, 2024: Plaintiff’s motion to remand and brief due.
- June 27, 2024: Removing defendants’ brief due.
- July 4, 2024: Plaintiff’s reply brief due.

The Court reminds plaintiff that any motion to remand this action to state court based on procedural defects must be filed within 30 days of removal—i.e., June 13, 2024. *See* 28 U.S.C. § 1447(c). The Court does not accept plaintiff's letter for a pre-motion conference as serving in lieu of such a motion; a formal motion is required for the Court to consider fully the issues posed.

The Court orders removing defendants to file their letter answering the questions posed in the Court's May 16, 2024 order by June 3, 2024.

SO ORDERED.


PAUL A. ENGELMAYER
United States District Judge

Dated: May 30, 2024
New York, New York